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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,754	02/19/2004	Sehat Sutardja	MP0018.C1	1779
23624	7590	09/08/2004	EXAMINER	
MARVELL SEMICONDUCTOR, INC. INTELLECTUAL PROPERTY DEPARTMENT 700 FIRST AVENUE, MS# 509 SUNNYVALE, CA 94089			KINKEAD, ARNOLD M	
			ART UNIT	PAPER NUMBER
			2817	

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/780,754

Applicant(s)

SUTARDJA, SEHAT

Examiner

Arnold M Kinhead

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 68-81 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 68-72 is/are allowed.
- 6) ☒ Claim(s) 73 and 81 is/are rejected.
- 7) ☒ Claim(s) 74-80 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 73 and 81 are rejected under 35 U.S.C. 102(b) as being anticipated by Hajimiri et al(cited by applicant-IEEE Solid State Circuits, May 1999).

The reference by Hajimiri et al discloses an oscillator (see figure 5 and p. 719,part B.)

having cross-coupled, frequency dependent feedback amplifier, where

MOSFET(NMOS (lower pair)and PMOS) are implemented. As noted an attenuating

device including tail capacitor as well as the LC tank capacitor is disclosed. Inductor(L)

and capacitor(C) are shown. Finally, current sources(biasing) is represented by(Itail).

(See p. 720, second col. last three lines where flicker noise is discussed-page 721). The

sizing of the cross-coupled NMOS and PMOS mitigates/attenuates the 1/f noise that

maybe upconverted to affect phase noise. The method steps being inherent. Also, the

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intended use of such method steps for designing an RF communication device not being given any patentable weight.

Allowable Subject Matter

3. Claims 74- 80 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. Claims 68-72 are allowed.

No suggestion for the attenuating device characteristic such that the fundamental frequency is from approximately 10-20 times a high pass bandwidth... is suggested along with all else claimed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arnold M Kinkead whose telephone number is 571-272-1763. The examiner can normally be reached on Mon-Fri, 8:30 am -5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal can be reached on 571-272-1769. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Arnold M Kinhead

Primary Examiner

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Arnold Kinhead

Sept. 3, 2004